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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,230	08/05/2003	Sook Hee Chung	13672.5US01	6525

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EXAMINER

COLILLA, DANIEL JAMES

ART UNIT PAPER NUMBER

2854

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/634,230		CHUNG, SOOK HEE	
	Examiner		Art Unit	
	Daniel J. Colilla		2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003 and 22 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/22/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Some of the portions not in proper idiomatic English are as follows:

“A metallic layer is partially formed on a thermal transfer printing target member in such a manner that a metallic layer is partially deposited on a thermal transfer printing sheet for printing on a thermal transfer printing target member, and a partial transfer printing of a gold silver thermal transfer printing sheet represents that a gold silver layer on a gold silver thermal transfer printing sheet is partially printed on a transfer printing target member” (from page 4, lines 8-13).

“In the forming method using the thermal transfer printing sheet 21 according to an embodiment of the present invention, there are provided a feeding unit for feeding the base material 10 for thereby implementing a continuous process like a conveyor type, a transfer printing unit for printing the thermal transfer printing sheet 21 on the base material 10, a synthetic rubber roll or carving roll for dry-attaching the thermal transfer printing sheet 21, and a heating unit that the transfer conduction film 24 provides a heat to the transfer finished base material 10 at a certain distance. (from page 5, lines 13-19).

These are just a few examples of the problem with the specification. All such problems must be corrected.

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2. The disclosure is objected to because of the following informalities:

On page 5, lines 4, 6 and 7 of the specification, reference numerals **22** and **23** are improperly used in association with the same structure, the ink conductive film.

On page 5, lines 2-3 of the specification, applicant states that, "a base material 10 is heated by a thermal transfer printing sheet 21." This, however, does not appear to make sense. Perhaps applicant intended to mean that the base material 10 is heated by roller 43?

Appropriate correction is required.

Claim Objections

3. The claims are objected to because they include reference characters which are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 4, applicant's use of the phrase, "a partial deposition thermal transfer printing sheet" is vague and indefinite. It is not clear if applicant is referring to a particular type of printing sheet called "partial deposition" or if applicant is intending to recite, --partially printing a thermal transfer sheet.-- If the latter is true, then it would appear that applicant's use of the alternative in the claim is unnecessary since "thermal transfer printing sheet" would necessarily include a "gold silver thermal transfer printing sheet."

In claim 1, line 5, applicant's term "gold silver thermal transfer printing sheet" is indefinite. It is not clear if applicant intends to mean --a gold or silver thermal transfer printing sheet-- or if applicant has some other intention.

In claim 1, line 8, it would appear that applicant's term, "a conduction film" is actually a double recitation of the thermal transfer printing sheet that was printed as previously recited in the claim. Figure 3 of applicant's specification shows that the thermal transfer printing sheet 21 is transferred to the base material 10 in which it is then represented by reference numeral 24 (conduction film).

Claim 11 appears to be an entire double recitation of claim 10.

Appropriate correction is required.

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Due to the extensive 112, second paragraph problems with the claims, prior art could not accurately be applied to the claims at this time. Once the 112 problems have been overcome, any relevant prior art will be applied.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Colilla whose telephone number is 571-272-2157. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 24, 2005



Daniel J. Colilla
Primary Examiner
Art Unit 2854